

BOARD OF FORESTRY AND FIRE PROTECTION

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**ACTING EXECUTIVE OFFICER'S REPORT ON PENDING LEGISLATION****SB 937, as introduced, McGuire. Disaster relief: Lake County Fires.**

The California Disaster Assistance Act generally provides that the state share for disaster project allocations to local agencies is no more than 75% of total state eligible costs, except for specified events for which the state share is up to 100% of state eligible costs. This bill would add the forest fires that occurred in the County of Lake in 2015 to the list of events for which the state share of state eligible cost is up to 100%. This bill would declare that it is to take effect immediately as an urgency statute.

03/30/2016 Status	In Senate Appropriations
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AB 1642, as introduced, Obernolte. State responsibility areas: fire prevention fees.

Existing law requires the state to have the primary financial responsibility for preventing and suppressing fires in areas that the State Board of Forestry and Fire Protection has determined are state responsibility areas, as defined. Existing law requires that a fire prevention fee be charged on each habitable structure on a parcel that is within a state responsibility area, collected annually by the State Board of Equalization, in accordance with specified procedures, and specifies that the annual fee shall be due and payable 30 days from the date of assessment by the state board. Existing law authorizes a petition for redetermination of the fee to be filed within 30 days after service of a notice of determination, as specified.

This bill would extend the time when the fire prevention fee is due and payable from 30 to 60 days from the date of assessment by the State Board of Equalization and would authorize the petition for redetermination to be filed within 60 days after service of the notice of determination, as specified.

03/30/2016 Status	In Assembly Appropriations
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SB 810, as introduced, Gaines. Unmanned aircraft: fire interference.

Existing law makes it a misdemeanor to engage in disorderly conduct that delays or prevents a fire from being timely extinguished or to resist or interfere with the lawful efforts of a firefighter in the discharge of an official duty. Existing law makes it a misdemeanor to impede police officers, firefighters, emergency personnel, or military personnel, in the performance of their duties in coping with an emergency. This bill would make it unlawful to knowingly, intentionally, or recklessly operate an unmanned aircraft or unmanned aircraft system, as defined, in a manner that prevents or delays the extinguishment of a fire, or in any way interferes with the efforts of firefighters to control, contain, or extinguish a fire. The bill would make a violation of this prohibition punishable by imprisonment in a county jail not to exceed 6 months, by a fine not to exceed \$5,000, or by both that imprisonment and fine. By creating a new crime, this bill would impose a state-mandated local program.

03/30/2016 Status	In Public Safety Committee
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SB 1028, as amended, Hill. Electrical corporations: wildfire mitigation plans.

This bill would require each electrical corporation, each local publicly owned electric utility, and electrical cooperative to *construct, maintain, and operate its electrical lines and equipment* in a manner that *will minimize the risk of catastrophic wildfire posed by those electrical lines and equipment*. The bill would require each electrical corporation and each local publicly owned electric utility or electrical

cooperative to annually prepare a wildfire mitigation plan. The bill would require each electrical corporation to submit its plan to the commission for approval, as specified. The bill would require the commission to accept, accept provisionally, or reject the submitted plan, as specified. *The bill would require the governing board of a local publicly owned electric utility or electrical cooperative to determine whether any portion of the geographical area where the utility's overhead electrical lines and equipment are located has a significant risk of catastrophic wildfire resulting from those electrical lines and equipment and, if so, would require the local publicly owned electric utility or electrical cooperative to annually present to the board for its approval those wildfire mitigation measures the utility intends to undertake to minimize the risk of its overhead electrical lines and equipment causing a catastrophic wildfire.*

03/30/2016 Status	In Energy, Utilities, and Communications Committee
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AB 1589, as amended, Mathis. California Environmental Quality Act: exemption.

This bill would, for the duration of a state of emergency proclaimed by the Governor due to *drought conditions* exempt from the requirements of CEQA *certain* projects that are undertaken, carried out, or approved by a public agency to mitigate *those drought conditions*.

03/30/2016 Status	In Natural Resources Committee
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AB 2146, as amended, Patterson. Forestry and fire protection: greenhouse gas emissions.

Existing law requires the Department of Forestry and Fire Prevention to implement various fire prevention programs intended to protect forest resources and prevent uncontrollable wildfires. The California Global Warming Solutions Act of 2006 requires that all moneys, except for fines and penalties, collected by the State Air Resources Board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available, upon appropriation by the Legislature, for greenhouse gas emissions reduction activities. This bill would ~~provide that~~ *continuously appropriate* \$200,000,000 from the *annual proceeds of the* fund ~~shall be made available annually, upon appropriation in the annual Budget Act,~~ to the department for activities that reduce greenhouse gas emissions in the state caused by uncontrolled forest fires. *The bill would authorize the department to use these funds to provide payments to local governmental entities that carry out fire prevention activities and incentives for actions by private parties to reduce the risk or intensity of wildfires or improve the resiliency of lands prone to wildfires.*

03/30/2016 Status	In Natural Resources Committee
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AB 2162, as introduced, Chu. Oak Woodlands Protection Act.

The Z'berg-Nejedly Forest Practice Act of 1973 prohibits a person from conducting timber operations unless a timber harvesting plan prepared by a registered professional forester has been submitted to the Department of Forestry and Fire Protection. The Oak Woodlands Conservation Act provides funding for the conservation and protection of California's oak woodlands. Any violation of the Fish and Game Code is a crime.

This bill would enact the Oak Woodlands Protection Act, which would prohibit a person from removing from an oak woodland, as defined, specified oak trees, unless an oak removal plan and oak removal permit application for the oak tree removal has been submitted to and approved by the Director of Fish and Wildlife.

By June, 30, 2016, the bill would require the Fish and Game Commission to adopt regulations to implement the act, including regulations establishing an oak removal permit application fee. The bill would require the fee to be deposited into the Oak Woodlands Protection Act Fund, as created by the bill. Moneys in the fund would be continuously appropriated to the department for purposes of paying

the total costs incurred by the department in administering and enforcing the act, thereby making an appropriation.

03/30/2016 Status	In Natural Resources Committee
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AB 1958, as amended, Wood. Forest practices: oak woodlands.

~~The Z'berg-Nejedly Forest Practice Act of 1973, which regulates timber harvesting, requires the State Board of Forestry and Fire Protection to divide the state into districts, taking into account differing characteristics, and to adopt, and continuously review and revise, district forest practice rules and regulations for each district in accordance with specified policies.~~

~~This bill would require the board, by January 1, 2018, to revise or repeal those rules and regulations that are an impediment to the restoration of oak woodlands.~~

The Z'berg-Nejedly Forest Practice Act of 1973 prohibits a person from conducting timber operations, as defined, unless a timber harvesting plan prepared by a registered professional forester has been submitted to the Department of Forestry and Fire Protection. The act authorizes the State Board of Forestry and Fire Protection to exempt from some or all of those provisions of the act a person engaging in specified forest management activities.

This bill would also authorize the board to exempt a person cutting or removing trees, including through commercial harvest, to restore and conserve California black or Oregon white oak woodlands, and associated grasslands, as specified.

Existing law also requires a person who owns timberlands that are to be devoted to uses other than the growing of timber to file an application for conversion with the board and requires the board to establish a system of graduated timberland conversion permit fees.

This bill would define "growing of timber," for these purposes, to include restoration and conservation forest management activities, which may include the removal of commercial species, if necessary to achieve specific forest health and ecological goals, that are not conducted in conjunction with the cutting or removal of trees or other forest products during the conversion of timberlands to other uses.

03/30/2016 Status	In Natural Resources Committee
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SB 1463, as amended, Moorlach. Electrical lines: mitigation of wildfire risks.

This bill would require the Public Utilities commission, in consultation with the Department of Forestry and Fire Protection, to prioritize areas in which communities are at risk from the consequences of wildfires when determining areas in which it will require enhanced mitigation measures for wildfire hazards posed by overhead electrical lines and equipment. *The bill would require the commission to include as being at high risk any community (1) that has experienced serious consequences from a wildfire, as specified, (2) as to which the Governor has, as a result of a wildfire, declared a state of emergency or local emergency pursuant to the California Emergency Services Act involving the community, or (3) where at least 50% of the community is included in a "very high" or "high" risk zone of the map of the Fire Hazard Severity Zones in the Local Responsibility Areas of California. The bill would require that the enhanced mitigation measures include the undergrounding of any new construction, replacement, or required relocation of transmission, subtransmission, and distribution systems, except as provided. The bill would require an electrical corporation to recover its expenses incurred in providing enhanced mitigation measures as a general expense item in its rates, and not recover its expenses solely from the ratepayers within the community where the enhanced mitigation measures are undertaken.*

03/30/2016 Status	In Energy, Utilities, and Communications Committee
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[SB 1347, as introduced, Nielsen. Fire prevention fee: administration.](#)

Existing law requires the State Board of Forestry and Fire Protection to establish a fire prevention fee in an amount not to exceed \$150 to be charged on each habitable structure on a parcel that is within a state responsibility area. Existing law requires the fee moneys to be expended, upon appropriation, in specified ways, including to reimburse the State Board of Equalization's expenses incurred in the collection of the fee and to the State Board of Forestry and Fire Protection and to the Department of Forestry and Fire Protection for administration purposes, with excess money being expended only for specified fire prevention activities, as provided.

This bill would provide that no more than 5% of the fees moneys may be used for administrative purposes.

Existing law, until January 31, 2017, requires the board to submit an annual written report to the Legislature on the status of the uses of the fee moneys.

This bill would continue that requirement until January 31, 2022.

03/30/2016 Status	In Natural Resources Committee
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[AB 1555, as amended, Gomez. Greenhouse Gas Reduction Fund.](#)

This bill would ~~state the intent of the Legislature to enact future legislation that would appropriate \$1,700,000,000~~ [\\$800,000,000](#) from the Greenhouse Gas Reduction Fund for the ~~2015-16~~ [2016-17](#) fiscal year ~~that would be allocated to different entities to various state agencies in specified amounts to be determined in the future legislation~~ for [various](#) purposes ~~including including, among other things,~~ low carbon transportation and infrastructure, clean energy communities, ~~and community climate improvements,~~ wetland and watershed restoration, and carbon sequestration. *The bill would state the intent of the Legislature to reserve \$150,000,000 from the fund to fund future legislative priorities.*
“...*(8) The amount of ~~_____ dollars (\$_____)~~ [twenty-five million dollars \(\\$25,000,000\)](#) to the Department of Forestry and Fire Protection for urban forestry....”*

03/30/2016 Status	In Natural Resources Committee
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[AB 2779, as introduced, Rodriguez. California Conservation Camp program.](#)

Existing law declares the existence of the California Conservation Camp program to provide for the training and use of the inmates and wards assigned to conservation camps in furtherance of public conservation. Existing law requires, in order to effect the maximum possible conservation and development of natural resources for the benefit of people in the state, specified conservation projects to be undertaken by the California Conservation Camps. Existing law requires the various agencies concerned with conservation projects to consult with and advise each other to promote the conservation projects.

This bill would require the various agencies to consider and adopt incentives and programs necessary to ensure adequate inmate ward participation in conservation camps.

03/30/2016 Status	In Natural Resources Committee
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[SB 1136, as amended, Morrell. Fire prevention: state responsibility areas: report.](#)

Existing law requires the State Board of Forestry and Fire Protection to adopt emergency regulations to establish a fire prevention fee in amount not to exceed \$150 to be charged on each structure, defined as a building used or intended to be used for human habitation, on a parcel that is within a state responsibility area, as defined. Existing law requires the state board to adjust the fire prevention fee annually using prescribed methods, and requires the state board, until January 31, 2017, to report to the

Legislature every January 31 on the status and uses of the fund, *containing specified information and recommendations*.

This bill would extend to January 31, 2021, the time until which the state board is required to *submit the* report to the Legislature, and would additionally require that the report include specified information on each program *and subprogram* for which the Department of Forestry and Fire Protection uses money generated from that fire prevention fee.

03/30/2016 Status	In Natural Resources Committee
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SB 1402, as amended, Pavley. Low-carbon fuels.

This bill would ~~additionally create the California Low-Carbon Fuels Incentive Program to be administered by the state board and the State Energy Resources Conservation and Development Commission, and would~~ authorize moneys in the fund *appropriated to the program* to be used to ~~promote and further California climate goals to encourage the in-state production of alternative fuels with low carbon intensity~~ *provide incentives for the in-state production of low-carbon transportation fuels* from new and existing ~~facilities, facilities~~ using sustainable feedstock, with ~~preference~~ *priority* to be given to *projects benefitting* disadvantaged communities.

03/30/2016 Status	In Environmental Quality Committee
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SB 1043, as introduced, Allen. Renewable gas: biogas and biomethane.

This bill would require the Air Resources Board to consider and adopt policies to significantly increase the sustainable production and use of renewable gas, as defined, and, in so doing, would require the state board, among other things, to ensure the production and use of renewable gas provides direct environmental benefits and identify barriers to the rapid development and use of renewable gas and potential sources of funding.

(The Legislature finds and declares all of the following:...(e) Using forest biomass collected as part of a sustainable forestry plan can significantly reduce the risks and impacts of catastrophic wildfires, including black carbon emissions and air pollution, impacts on water supply and quality, impacts on utility and other infrastructure, threats to public safety and communities, impacts on fisheries and wildlife, and effects on precipitation.

39735 (b) In order to meet the state's climate change, low-carbon fuel, renewable energy, landfill diversion, and wildfire reduction goals, the state board shall consider and adopt policies to significantly increase the sustainable production and use of renewable gas. In doing so, the state board shall do all the following:.... (5) Coordinate with the Public Utilities Commission, the State Energy Resources Conservation and Development Commission, publicly owned utilities, the Department of Resources Recycling and Recovery, and the Department of Forestry and Fire Protection.)

03/30/2016 Status	In Environmental Quality Committee and Energy, Utilities, and Communications Committee
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SB 805, as introduced, Committee on Natural Resources and Water. Natural resources.

(3) Existing law requires the State Board of Forestry and Fire Protection to appoint a Range Management Advisory Committee and requires 2 members on the board to be from the general public, as provided, and for one member to be nominated by the Watershed Fire Council of Southern California.

This bill would instead require 3 members to be from the general public, as provided, and would delete the nomination from the Watershed Fire Council of Southern California.

03/30/2016 Status	In committee
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